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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,680	06/05/2001	Laura R. Whitby	81513PCW	7981

7590 06/29/2005

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EXAMINER

TRAN, NHAN T

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,680

Applicant(s)

WHITBY ET AL.

Examiner

Nhan T. Tran

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/2/2005 & 4/4/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-22 and 24-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-22 and 24-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/2/2005 and 4/4/2005 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 3-22 & 24-31 have been considered but are moot in view of the new ground of rejection.

Claim Objections

3. Claims 13 & 14 are objected to because of the claims recite "the first side and the second sides" which should be changed to --the first side and the second side--. Appropriate correction is required.

Claim 11 is also objected to because the claim recites "...each insert mating with **both** the base portion on a first side **and each mating with** one of a plurality of differently shaped digital cameras on a second side..." which is unclear. Additionally, a comma should be placed in front of "each insert..."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-22 & 24-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brake et al (US 5,734,253) in view of Berstis (US 6,721,001).

Regarding claim 1, Brake discloses a docking station assembly for receiving a battery pack (see Figs. 3 & 4), the docking station comprising:

a) a housing for forming a base portion (20, 25) for the docking station assembly and said housing includes an insert-receiving portion (Fig. 4) for receiving any of a plurality of removable and replaceable inserts (e.g., charging stations 30, 40, 50 & 60 shown in Fig. 4, col. 4, lines 51-63);

b) a plurality of differently shaped, removable and replaceable inserts (col. 10, lines 30-46, wherein different sizes and types of charging stations corresponding to different sizes and types of batteries) each having a docking mating portion on a first side (i.e., a bottom side of insert 60) which mates with the insert-receiving portion (see Fig. 4), and each insert having a uniquely shaped battery pack mating portion on a second side (i.e., upper or top side of the insert 60) and each second side having a shape substantially of a portion of a differently shaped battery pack to which the removable and replaceable insert mates (see Figs. 3 & 4 and col. 10, lines 30-46).

Brake does not teach that the docking station assembly is for receiving a digital camera. However, as taught by Berstis, it is well known in the art that a digital camera is also constructed as a battery pack (see Berstis, Fig. 1 and col. 3, lines 9-17). Berstis teaches that the digital camera (100) is placed on a docking station (106) for charging the battery in a conventional fashion (see Figs. 1 & 2; col. 2, lines 15-39 and col. 3, lines 9-17).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Brake and Berstis to construct a docking station assembly for not only receiving a plurality of differently shaped regular battery packs but also receiving a plurality of differently shaped digital cameras having internal batteries for charging the batteries in a conventional fashion.

Regarding claim 3, it is clear in Brake that the insert receiving portion is a notched-out portion (see Fig. 4).

Regarding claim 4, Brake in view of Berstis further shows a light indicator (see Brake, Figs. 3 & 4) for indication charging of the digital camera.

Regarding claim 5, it is seen that the digital camera 100 in Berstis is a wireless device since it can operate on its own battery without any wire connection.

Regarding claim 6, both Brake and Berstis disclose an electrical connection disposed on the housing for connection to the digital camera. See Figs. 4-6 in Brake and Fig. 1 in Berstis.

Regarding claim 7, Brake further discloses a floor of the insert having a notched-out portion through which the electrical connection passes (see Brake, Fig. 4).

Regarding claim 8, Brake in view of Berstis further discloses that the docking station comprises one of more stabilizing elements for providing stable support for connection of the digital camera to the insert (see Fig. 4 in Brake, wherein four sides of indent act as stabilizing elements).

Regarding claim 9, Brake in view of Berstis also discloses an electrical cable (116) attached to housing for transmitting digital signals (see Berstis, Fig. 1, col. 2, lines 15-39).

Regarding claim 10, both Brake and Berstis clearly disclose a power cable attached to the housing for transmitting electrical power to the housing (see Fig. 1 in Berstis or Fig. 6 in Brake).

Regarding claims 11 & 12, see the analyses of claims 1 & 3.

Regarding claims 13 & 14, it is clear that the first side and second side are on substantially opposite sides to each other (see Brake, Figs. 3 & 4).

Regarding claims 15-21, see the analyses of claims 4-10, respectively.

Regarding claim 22, see the analysis of claim 1, wherein a first digital camera and a second digital camera are respectively received by substitutable inserts having sizes and shapes corresponding to the models of the first and second digital cameras.

Regarding claims 24-31, see the analyses of claims 3-10, respectively.


Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T. Tran whose telephone number is (571) 272-7371. The examiner can normally be reached on Monday - Thursday, 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT.


DAVID L. OMETZ
PRIMARY EXAMINER